

# ATTACHMENT B

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Via Facsimile to (571) 273-6500  
ACCOUNTING DIVISION REFUND BRANCH

## REQUEST FOR REFUND

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Applicants' attorney has been informed that his PTO Deposit Account (No. 23-0975) was charged an amount of \$1,050.00 for a three month extension of time on April 30, 2009. Applicants' attorney respectfully submits that this charge was improper.

An Office Action was mailed December 3, 2008 in Serial No. 10/593,461. On May 4, 2009 (after filing a Request for New Office Action and Resetting Date for Response on April 8, 2009), Applicants filed an amendment in response to the Office Action of December 3, 2008, together with a petition for a two month extension of time, including the PTO fee of \$490. There was thus no valid reason for charging a three month extension of time to Applicants' attorney's Deposit Account. The response to the Office Action of December 3, 2008 was timely filed on May 4, 2009 with a two month extension of time. Applicants' attorney notes that May 4, 2009 is a Monday, and therefore, filing the response and extension on this date was timely.


Under these circumstances, Applicants' attorney request that the amount of \$1,050 be refunded to his Deposit Account (No. 23-0975).

If there are any questions regarding this matter, please contact Donna Reynolds, Accounting Assistant, at (202) 721-8246. We appreciate your kind assistance.

Respectfully submitted,

Peter HEROLD et al.

By

  
Michael R. Davis  
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for Applicants

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September 29, 2009

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